

Remarks

Reconsideration and allowance of this application, as amended, are respectfully requested.

The written description portion of the specification, the abstract of the disclosure, and claims 1-6 and 8-13 have been editorially amended. Claims 7 and 14 have been canceled, and new claims 15-22 have been added. Claims 1-6, 8-13, and 15-22 are now pending in the application. Claims 1, 16, and 20 are independent. The objections and rejections are respectfully submitted to be obviated in view of the amendments and remarks presented herein. No new matter has been introduced through the foregoing amendments.

The specification has been editorially amended for conformance with 37 CFR § 1.77(c). The abstract has been editorially amended for conformance with 37 CFR § 1.72(b). Reconsideration and withdrawal of the objections to the specification and the abstract are respectfully requested.

Claims 1-6 and 8-13 have been editorially amended to even more particularly point out and distinctly claim the subject matter of Applicants' invention, and to more fully comply with U.S. practice. New claims 15-22 have been added to further define the scope of protection sought for Applicants' invention.

Claim 7 has been canceled in response to the rejections under 35 U.S.C. § 101 and 35 U.S.C. § 112, second paragraph. New independent claim 20 has been added to define "[a] method of

withdrawing blow-molded film." Reconsideration and withdrawal of the rejection of claim 7 under § 101 and § 112, second paragraph, are respectfully requested.

Entry of each of the amendments is respectfully requested.

At the examiner's request (Office Action page 5), an executed English-language Declaration and Power of Attorney is being submitted concurrently herewith. Applicants' representative notes, however, that the copy of the PCT Rule 4.17(iv) declaration received by the U.S. Patent and Trademark Office on July 15, 2005, satisfied the requirement for an oath or declaration under 37 CFR § 1.497(a)-(b).

35 U.S.C. §§ 102(b)/103(a) - Cestonaro

Claims 1-6 and 8-14 stand rejected under 35 U.S.C. § 102(b) as being anticipated by, or under § 103(a) as being obvious over, U.S. Patent No. 5,827,166 to Cestonaro et al. (hereinafter "Cestonaro").

The Office Action asserts that Cestonaro "teaches the claimed invention having a bar (120) being of sintered ceramic (col. 12, lines 18-20) and of variable radius (Fig. 7B)."

The rejection of claims 1-6 and 8-14 under §§ 102(b)/103(a) is respectfully traversed. For at least the

following reasons, the disclosure of Cestonaro neither anticipates, nor would have rendered obvious, Applicants' claimed invention.

Applicants' claimed invention is directed to a withdrawal device for blow-molded film. The claimed device has "an air turning bar having an air cushioned surface for transporting the withdrawn blow-molded film, the surface including at least in part a sintered material." The sintered material portion of the bar surface provides a region of increased friction for compressed air flow, thus more effectively guiding the withdrawn film (see specification page 2).

The disclosure of Cestonaro does not anticipate Applicants' claimed invention because Cestonaro's "Device for Joining Strips of a Flexible Material" is structurally different from the claimed blow-molded film withdrawal device. Cestonaro discloses a "reversing element 120" (Cestonaro column 9, lines 62-63) used with a device "provided to join the lower end of a strip of paper coming from a nearly-empty reel to the upper end of another strip of paper coming from a full reel" (column 3, lines 14-16).

Cestonaro's device, therefore, does not meet, *inter alia*, Applicants' claim 1 requirement of "an air turning bar having an air cushioned surface for transporting the withdrawn blow-molded film, the surface including at least in part a sintered material." Since Cestonaro does not meet each limitation of the claimed invention,

Cestonaro does not anticipate the invention defined by Applicants' claim 1.

Similarly, the disclosure of Cestonaro would not have rendered obvious Applicants' claimed device. First, as indicated above in response to the § 102(b) rejection, Cestonaro fails to teach all of Applicants' claim limitations. Furthermore, Cestonaro fails to even suggest all of Applicants' claim limitations. The device defined by Applicants' claim 1 would not have been obvious because the disclosure of Cestonaro cannot be modified to rectify its above-described deficiencies. Thus, all of Applicants' claim limitations are not taught or suggested by the disclosure of Cestonaro.

Second, there is no suggestion or motivation in Cestonaro that would have led one to modify the reference in a way that would produce the invention defined by any of Applicants' pending claims 1-6 and 8-13. As indicated above, Cestonaro is directed to a "Device for Joining Strips of a Flexible Material," not Applicants' blow-molded film withdrawal device. In Applicants' invention, the incentive for having the claimed "surface including at least in part a sintered material" is that

[o]ne problem in the known air turning bars is the uneven thickness of the air cushion over the axial width of the bar and/or the uneven force acting on the film due to the compressed air. Air can escape from the side regions of the film, thus reducing the amount of compressed air in these areas. The side regions of the film wrap around the turning bar more tightly than the center regions of the film. Consequently, in its center region the film

exhibits a certain sag and can no longer be guided in a flat form. The film in this center region is prone to the formation of wrinkles. (Specification page 1, line 31, through page 2, line 4.)

Thus, Applicants disclose that

The air turning bar pursuant to the present invention can guide the film smoothly and in a flat and even form. The knowledge underlying the present invention is that air layers directly adjoining rough material experience a high friction and are thus slowed down. Thus the rough texture of sintered material also causes this effect. The rough texture is brought about by fine structures distributed irregularly on the surface of the material. The use of a turning bar that is modified in this manner clearly reduces the increased incidence of the air escaping from the side regions of the film. The air is completely prevented from escaping from the side regions of the film in the case of flat air cushions. (Specification page 2, line 31, through page 3, line 6.)

Cestonaro, however, discloses (column 12, lines 10-20) a reversing element 120 that may be made of a sintered material for a very different reason:

Seeing that the reserve strip 103 does not rub directly against the reversing element 120 and therefore does not cause any wear and tear, *a wear-resistant material will preferably be chosen nonetheless for this element in order to avoid the wear and tear which might be caused by the passage of dust carried along on the surface of the reserve strip turned toward said element.* The material chosen will also have to permit the machining of the holes 126 having several ten's of mm. *A steel or a sintered material or a ceramic or even a hard synthetic material may be suitable for this purpose (emphasis added).*

Thus, Cestonaro teaches the use of a wear-resistant material (i.e., "a steel or a sintered material or a ceramic or

even a hard synthetic material") in order to avoid the wear and tear that might be caused by the passage of dust carried on the paper strip. Cestonaro's rationale is completely unrelated to Applicants' use of a rough surface sintered material to increase friction and thus reduce the amount of air escaping from side regions of the film, thereby guiding the film more effectively.

Third, Cestonaro's disclosure actually teaches away from Applicants' invention. As indicated above, to ensure that the requisite amount of friction and thus resistance to air flow is present, Applicants' claim 1 requires that the turning bar surface include at least in part a sintered material. But, by disclosing that the wear-resistant material can be "a steel or a sintered material," it is evident that Cestonaro is addressing resistance to wear, not Applicants' disclosed object of providing friction with a rough textured sintered surface.

In view of the different subject matter disclosed by Cestonaro, there is simply no incentive to modify Cestonaro's paper joining device so as to arrive at Applicants' claimed blow-molded film withdrawal device. Thus, there is no suggestion or motivation in Cestonaro that would have led one to modify the reference in a way that would produce the invention defined by Applicants' claim 1.

Claims 2-6 and 8-13 are also allowable because they depend, either directly or indirectly, from claim 1, and for other reasons.

For at least the above reasons, reconsideration and withdrawal of the rejection of claims 1-6 and 8-14 under § 102(b) and § 103(a) are respectfully requested.

35 U.S.C. § 103(a) - Cestonaro in view of Sensen

Claim 7 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Cestonaro in view of U.S. Patent No. 5,674,540 to Sensen et al. ("Sensen").

As indicated above, claim 7 has been canceled in response to the rejections under 35 U.S.C. § 101 and 35 U.S.C. § 112, second paragraph. New independent claim 20 has been added to define "[a] method of withdrawing blow-molded film." The claimed method includes "supporting the blow-molded film by providing a cushion of compressed air on an air turning bar surface, the bar surface having an edge portion at each end thereof that guides the film, and a central portion disposed between the edge portions, and guiding the film by providing a first friction region at the central portion and a second friction region at each of the edge portions."

Claim 20 is allowable. For reasons similar to those explained above in response to the rejections under §§ 102(b) and

103(a), the disclosures of Cestonaro and Sensen neither anticipate Applicants' claimed method, nor, either alone or in combination, would have rendered obvious Applicants' claimed method.

New claims 15-22 have been added to further define the scope of protection sought for Applicants' invention. New claims 15-22 are allowable. Since each of independent claims 16 and 20 includes at least the limitations discussed above with respect to the applied prior art references, none of the references of record either anticipates or would have rendered obvious the device and method defined by any of new claims 15-22.

In view of the foregoing, this application is now in condition for allowance. If the examiner believes that an interview might expedite prosecution, the examiner is invited to contact the undersigned.

Respectfully submitted,

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